

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

COURTNEY SMITH JR.,

Plaintiff,

v.

NATHAN P. BAKER, et al.,

Defendants.

No. 2:24-cv-01029 DJC AC (PS)

ORDER

On January 28, 2025, defendants Nathan P. Baker and Capital One Auto Finance each filed a motion to strike set to be heard on March 19, 2025. ECF Nos. 23, 24. Pursuant to Local Rule 230(c), plaintiff was required to file an opposition or notice of non-opposition within 14 days of the motion being filed. In this case, the relevant deadline was February 11, 2025. Plaintiff did make any filing by the deadline. On February 13, 2025, defendants filed notices of non-opposition. ECF Nos. 25, 26. Plaintiff did not file an opposition or statement of non-opposition to either motion to strike and has taken no other action in this case.

Good cause appearing, IT IS HEREBY ORDERED that the hearing date of March 19, 2025 is VACATED with respect to each motion, to be re-set as necessary. Plaintiff shall show cause, in writing, within 14 days, why the failure to respond to the pending motions should not result in a recommendation that this case be dismissed for failure to prosecute. The filing of an opposition or statement of non-opposition in response to each motion within this timeframe will

1 serve as cause and will discharge this order. If plaintiff fails to respond, the court will
2 recommend dismissal of this case for failure to prosecute pursuant to Local Rule 110.

3 IT IS SO ORDRED.

4 DATED: March 6, 2025


5 ALLISON CLAIRE
6 UNITED STATES MAGISTRATE JUDGE

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